

REMARKS

Claims 2-25, all the claims pending in the application, are rejected. Applicants have made certain minor amendments to claims 2 and 4, solely to provide consistency in the preamble and the body with respect to the recitation of a “multi-stage” game. Applicants respectfully submit that no new issues are raised by this change and no new search is required

As a preliminary matter, Applicants note that the Examiner’s Office Action Summary erroneously lists claim 1 as being pending. However, this claim was canceled from the application in the previous amendment. The Examiner is respectfully requested to take note of this correction in any subsequent correspondence.

Claim Rejections - 35 U.S.C. §102

Claims 2, 3, 13-17, 19 and 21-23 are rejected under 35 U.S.C. §102(e) as being anticipated by Stamper (6,820,265). This rejection is traversed for at least the following reasons.

The rejected claims include independent claims 2, 17 and 23. Claim 2 is directed to “a game mastery support apparatus” that supports mastery of an executable multi-step game that is executed in a separate terminal apparatus having a game execution function. The game mastery support apparatus includes a distribution device, which distributes mastery information that advises a player how to master a game, and references a terminal device. The existence of two separate structures distinguishes the invention from the prior art.

The relationship between **two separate structures** in the claimed invention is clear for two reasons. First, the mastery support apparatus obtains mastery information from the terminal apparatus, necessarily indicating that there are two separate devices. Second, the distribution device receives mastery status information that indicates a stage of the executable multi-stage game to which a player has proceeded. If the two claimed devices were in a common structure, the distribution device would already have had access to such information and would not receive the information.

Even the use of a remote and external game mastery support apparatus, and a terminal device would not meet the claim limitations, since there is no teaching or suggestion that any

such external device distributes mastery information according to mastery status information obtained from the terminal apparatus indicating a stage at which a player has proceeded.

Claim 17 similarly defines **two separate structures**, a game mastery support apparatus and a terminal apparatus, which is defined to have a display screen and a processing section. A processing section in a terminal apparatus receives mastery information from a game mastery support apparatus. The information is specific to the particular stage of multiple stages then being executed.

Claim 23 is directed to a computer readable medium having a program for activating a game mastery support apparatus where the program includes a distributing routine for distributing mastery information to a terminal apparatus. The existence of **two separate structures** is clear. The function is executable in stages and the mastery information is distributed on a stage-by-stage basis.

Stamper et al

Stamper et al is directed to a system for sharing information between software programs, where the system includes only a single device.

As explained with respect to the illustration in Fig. 1, the key components of the data sharing system 10 include a control unit 11 having a processor 12 and a memory 16. The data sharing system 10 also includes at least one data storage medium 14 coupled to the processor 12. The data storage medium 14 may be cartridges, magnetic cassettes, flash memory cards, digital video disks, random access memories, read only memories and the like (col. 3, line 26-29) and are not traditionally active devices. However, the control unit may be connected to a local area network that couples to the internet to provide access to some other external data source (col. 3, lines 35-37).

The data sharing system 10 is intended to provide for the utilization of data generated by a first program in connection with the execution of a separate second program. As is clear from the description at col. 3, line 64 - col. 4, line 5, two separately executable programs may be stored on the same or different media but are executable by the same processor 12. The patent

teaches at col. 5, lines 1-9 that, after execution of the first program, the same processor 12 and memory 16 are used to execute the second program. The second program includes logic 4 retrieving information previously stored by the first program on a memory coupled to the processor and utilizing that information to execute the second program, as is clear from Figs. 2 and 3. Thus, Stamper et al merely contemplates sharing the results of separately executed programs on a common processor and does not consider the use of a terminal apparatus having a multi-stage execution function and a mastery support apparatus having a distribution device that distributes mastery information. Further, there is no teaching that such information is distributed according to the stage of the executable multi-stage game to which the player has proceeded. In this latter regard, Stamper et al does teach beginning at col. 4, line 25 that sharable information may be identified or triggered upon reaching a certain level of a game and the information distributed may include skill level a player has achieved in a previous game (line 61). However, there is no teaching that the terminal apparatus distributes information about current stage to which a player has proceeded in the terminal apparatus to a distribution device which, in turn, advises a player how to master a game.

In framing the rejection, the Examiner makes reference to the disclosure in Stamper et al of an example provided with regard to Fig. 6, as described beginning at col. 7, line 24 - col. 8, line 57. In this example, the common video game system involves the use of a first game on a first cartridge and a second game on a second cartridge. As explained with regard to step 52 of Fig. 6, while playing a first video game, a player may reach a certain stage where the player recognizes a common feature from a second video game “which the player has obviously played before.”

The example at line 46 concerns the use of a “cut-cam” that shows a section from the second video game that is stored on a second game cartridge. However, the content of the “cut-cam” clearly appears on the first cartridge and is intended as simply a reminder to the player (if he has played the second game) of a possible solution to a challenge in the first game. As is clear from the description at col. 8, lines 1-19, first game cartridge must be removed and the second game cartridge inserted so that the player can access information about play on the second game for use in the first game. Such information is based upon the stage to which the

player has previously advanced in the second game. Clearly, if the player had not advanced to an appropriate stage in the second game, he would have to play the second game to reach such stage. Throughout the example given, particularly at col. 8, lines 36-57, Stamper et al indicates that the first game program may provide “hints” about how to solve a problem. However, these hints come from the same program executed by the same device and do not require access to a separate distribution device as claimed.

Thus, while Stamper et al superficially concerns the use of information from another source (a second cartridge) for use in a currently executed game, it does not have the structure as set forth in the claims, as properly interpreted in accordance with the specification and conventional meanings of the terminology.

With regard to the rejected dependent claims, Applicants note that claim 3 states that mastery status information sent from a terminal apparatus includes flag information indicating a stage of the game to which the player has proceeded. While Stamper et al does discuss the use of flags (col. 3, lines 36, 54; col. 7, line 64; col. 8, line 27; see also step 54 in Fig. 6), this does not involve the forwarding of mastery status information from a terminal apparatus to a mastery support apparatus. As is clear from the description of the invention, the mastery support apparatus provides mastery information back to the terminal on the basis of the level to which the game has proceeded in the separate terminal apparatus. Nothing of this sort is taught in Stamper et al.

Claims 13-16 and 22 would be patentable for the reasons given with regard to claim 2. Stamper et al does teach the application of his system to a portable device, at col. 7, lines 14-22.

Claim 19 would be patentable because it requires first and second terminal devices, each device having a processing section and a display screen. The Examiner’s explanation of how Stamper may be interpreted to have first and second terminal devices, at page 3 of the Office Action, is in error. Clearly, Stamper contemplates only a **single processor** and multiple data storage media.

Claim Rejections - 35 U.S.C. § 103

Claims 4-12, 18, 20, 24 and 25 are rejected under 35 U.S.C. §103(a) as being unpatentable over Stamper in view of Lee (6,475,089). This rejection is traversed for at least the following reasons.

First, the Lee et al patent, which was distinguished in the previous Office Action, does not remedy the deficiencies of Stamper et al. Lee does not concern the distribution of any “mastery information,” whether according to ranking of a player or according to stages of the game execution.

Second, Lee does not provide the specific limitations that are provided by the rejected claims, such as the distribution of mastery information on the basis of the mastery status information as in independent claim 2, the ranking of a player as in independent claims 4, 18 and 24, or the determination of a rank of a corresponding user with reference to accumulated mastery status information, as in claims 7-9. Further, there is no teaching of the first and second terminal devices as in claims 10-12. Lee simply concerns a game system with a plurality of game devices 2a, 2b that are connected to a host computer 3.

In Lee, each game device can issue requests for a game and receive and return information on an opponent selected by the host. After obtaining opponent information, the game devices are cut off from communication with the host and a competition type game is implemented between game devices 2a and 2b by way of a communication line 5a. Nothing in the disclosure concerns “mastery information,” and in particular, the provision of any mastery information (1) on the basis of mastery status information as recited in claims 5, 6, 8, 9, 11 and 12, which depend from claim 2, or (2) on the basis of a ranking of a player of a multi-stage game that is being executed at individual terminals as recited in claims 7, 10, 19, 20 and 25 which depend from one of claims 4, 18 and 24.

In particular, Lee does not teach the interaction between a first apparatus for distributing mastery information and second apparatus in the form of a game devices that execute a multi-stage game, with a mastery information being provided on the basis of current game status information, including the current stage of the game or player rank in the game. This is a basic

feature of the present invention, as recited in the rejected claims, and is not taught in the combination of Stamper and Lee.

Third, the combination would not be reasonably apparent to one of ordinary skill in the art, as Stamper et al is concerned with a device that is played by a single operator independently, using a common memory 16 and plural data storage media 14, preferably in the form of external cartridges. By contrast, Lee is concerned with having remote terminals operate after a host has established a competition between two terminals. Stamper et al does not involve a competition between players. Thus, the feature of Lee with regard to transmitting game results back to a host computer and transmitting information from the host computer to the terminal during game execution are inapplicable to the system of Stamper et al since processor in Stamper et al always has such information accessible in a common memory.

Fourth, Applicants further submit that the Examiner is merely using hindsight in suggesting a combination of a standalone system such as taught in Stamper et al and a centralized system, with separate individual execution of games, as taught in Lee. There is no motivation for their combination. Moreover, even if combined, the references do not teach or suggest the combination as recited in independent claims 4, 18 and 24, especially with regard to the distribution of mastery information on the basis of the ranking of a player.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Amendment Under 37 CFR 1.116
09/919,807

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

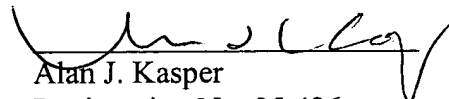
SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: April 4, 2005


Alan J. Kasper
Registration No. 25,426